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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/821,058	04/08/2004	Glenn Cowelchuk	LEAR 04675 PUS	9642

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EXAMINER

WATKINS III, WILLIAM P

ART UNIT	PAPER NUMBER
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1772

DATE MAILED: 07/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/821,058	Applicant(s) COWELCHUK ET AL.	
	Examiner William P. Watkins III	Art Unit 1772	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
4a) Of the above claim(s) 16-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's election without traverse of Group I, claims 1-15 in the reply filed on 11 April 2006 is acknowledged.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Springer (U.S. 2003/0194542 A1) in view of Brozenick et al. (U.S. 2004/0247828 A1) and Schwarzwald et al. (U.S. 2005/0042421 A1).

Springer teaches a plastic trim panel that has fasteners attached by fusion molding the plastic fasteners onto the surface of the trim panel where it is intended to function (abstract, Figure 2, 0011). Schwarzwald et al. teaches forming a thermoplastic article on a automotive panel by molding the plastic through an aperture in the panel then shaping the

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thermoplastic into the desired shape (abstract, Figure 1, section 0009). Brozenick et al. teaches joining a thermoplastic surface layer of a trim panel by drawing thermoplastic fasteners through the panel (abstract, section 004). The instant invention claims wire harness fasteners and other attachment means attached to a trim panel by being molded with and connected to a skin layer on the opposite side of the panel substrate through an aperture. It would have been obvious to one of ordinary skill in the art to have formed the fasteners of Springer by molding plastic that passes through a hole in the trim substrate of Springer and attaches to a skin layer on the other side in order to better secure the fasteners to the trim substrate because of the teachings of Schwarzwald et al. and Brozenick et al. Attachment of any known plastic attachment article used in trim panel would have been obvious in view of these teachings. No particular weight is given to the components being injected molded as claimed as there is evidence that injection molding produces any structure that is different than the molding taught by the references of the combination.

4. Applicant's arguments filed 11 April 2006 have been fully considered but they are not persuasive.

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Applicant argues that there is no motivation to combine the references of the combination because Springer teaches molding attachment means on one side only of a trim panel and Brozenick et al. and Schwarzwald et al. do not teach molding of any attachment means, only the attachment of resin itself to a substrate. The examiner disagrees in that both Springer and the secondary references deal with the common problem of joining resin to a substrate. The joints of the secondary references formed by passing resin through the substrate provide a stronger joint than those taught by Springer, which relies only on fusion and not also on the mechanical support provided by passage through an opening in the substrate as taught the secondary references.

Applicant argues that Springer teaches away from the combination because one of the advantages of molding on only one side, is preventing "show through" of the attachment on the show side of the trim. Brozenick et al. recognizes that "show through" maybe a problem and presents compensating mechanisms (section 0053). Thus the combination of the references to increase the joint strength could be practiced by one of ordinary skill of the art without a decline in the show side appearance.

Applicant also argues that none of the secondary references teach injection molding. It is not clear how the structures of the molding products of the references that involve melting and flow of plastic differ from those formed by injection molding. Applicant further argues, regarding the dependent claims, that there is no teaching on an attachment member with arms in any of the references. Section 0042 of Springer teaches that a wide variety of fasteners such as wire harnesses can be joined to the trim panels of the reference. Holding objects such as wire by containing them between two members such as in a clamp or strap holder is well known and meets the instant claim language.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened

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statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William P. Watkins III whose telephone number is 571-272-1503. The examiner works an increased flex time schedule, but can normally be reached Monday through Friday, 11:30 A.M. through 8:00 P.M. Eastern Time. The examiner returns all calls within one business day unless an extended absence is noted on his voice mail greeting.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon can be reached on 571-272-1498. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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WW/ww

June 23, 2006

A handwritten signature in black ink, reading "William P. Watkins III". The signature is stylized with a large, looped "W" and a prominent "III" at the end.

WILLIAM P. WATKINS III
PRIMARY EXAMINER